



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Ref: NOPH/100/JGK

In re patent application of

David Houze et al.

Serial No.: 09/768,831

Group Art Unit: 1615

Filed: January 24, 2001

Examiner: I. Ghali

For: COMPOSITIONS AND METHODS FOR DRUG DELIVERY

TECH CENTER 1600/2900

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*3-15-02*

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.56**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO-1449 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 C.F.R. § 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 C.F.R. § 1.97 and § 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 C.F.R. § 1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie prior art reference against the claims of the present application.

**TIMING OF DISCLOSURE AND FEE**

This Information Disclosure Statement is being filed in compliance with 37 C.F.R. § 1.98(b)(3), submission before the mailing of the first Office Action on the merits. Applicant believes no fees are due; however, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 500511.

Serial No. 09/768,831

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicant respectfully requests that the listed documents be considered by the Examiner and formally be made of record in the present application, and that an initialed copy of Form PTO-1449 be returned in accordance with M.P.E.P. § 609.

Respectfully submitted,

Date: March 7, 2002

By:

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CERTIFICATE OF MAILING

I hereby certify that this correspondence, Information Disclosure Statement Under 37 CFR 1.56 is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231 on March 7, 2002.

By:

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| <b>TRANSMITTAL FORM</b><br><i>(to be used for all correspondence after initial filing)</i> | Application Number   | 09/768,831             |              |
|  | Filing Date          | 01/24/2001             |              |
|  | First Named Inventor | David HOUZE et al.     |              |
|  | Group Art Unit       | 1615                   |              |
|  | Examiner Name        | I. Ghali               |              |
| Total Number of Pages in This Submission   | 4                    | Attorney Docket Number | NOPH/100/JGK |

| ENCLOSURES (check all that apply)   |   |   |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment / Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Postcard |
| Remarks   |   |   |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |  |
|--|--|
| Firm or Individual name                    | Jay G. Kolman, Esq.<br>Noven Pharmaceuticals, Inc. |
| Signature                                  | <i>Jay G. Kolman</i>                               |
| Date                                       | March 7, 2002                                      |

| CERTIFICATE OF MAILING  |                      |      |               |
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| Typed or printed name   | Jay G. Kolman        |      |               |
| Signature   | <i>Jay G. Kolman</i> | Date | March 7, 2002 |

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